

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA, : :

Plaintiff, : Case No. 3:15-CR-148
vs. : :

WILLIAM M. APOSTELOS, : Judge Thomas Rose

Defendant.

**UNOPPOSED MOTION FOR DESIGNATION AS COMPLEX CASE AND MOTION TO
CONTINUE ALL DEADLINES AND DATES**

Comes the defendant, William Apostelos, through counsel, pursuant to 18 U.S.C. §3161(h) (7)(A), (B)(i), (B)(ii), (B)(iv) and the Sixth Amendment to the United States Constitution, and hereby moves this Court for an Order designating this case as complex and extending all deadlines and dates set forth in the Court's Scheduling Order filed November 9, 2015 [ECF No. 27] beyond that required by 18 U.S.C. §3161(c)(1). The ends of justice are served by taking such action, particularly in order to ensure the defendant is provided effective assistance of counsel as guaranteed by the Sixth Amendment to the United States Constitution, and the ends of justice in granting the defendant's motion outweigh the public's interest in a speedy trial.

In support of this motion, Mr. Apostelos would show as follows:

Mr. Apostelos has been charged by way of a thirty-two page, twenty-seven count indictment which charges him with conspiracy to defraud investors of millions of dollars in a variety of ways involving the operation of multiple companies. Numerous bank accounts, investment trading accounts, and real estate transactions are implicated in these allegations. The government has provided voluminous discovery in electronic format and has also made available

for inspection hundreds of banker boxes of seized material. In addition, hundreds of potential witnesses have been identified. The Government has continued to provide discovery, and as recently as this week the government has indicated that additional discovery related to real property located in the state of Nevada will be provided to Mr. Apostelos in the near future.

The assistance of expert witnesses, including a forensic accountant, among others, will be necessary to adequately prepare Mr. Apostelos' defense. Prior to hiring said experts, undersigned counsel needs to organize and manage this voluminous discovery to best utilize the expert witnesses hired on behalf of Mr. Apostelos. Organizing and managing this voluminous discovery is no small undertaking, and, even with the assistance of multiple staff members of the Federal Public Defender's office, providing effective assistance of counsel to Mr. Apostelos in defending against these allegations is impossible on the current trial time table.

For the foregoing reasons, Mr. Apostelos respectfully moves this Honorable Court to find that this case is so complex and voluminous that the time limits imposed by 18 U.S.C. §3161 are unreasonable if counsel is expected to adequately prepare for trial, and/or any necessary pretrial proceedings. Accordingly, Mr. Apostelos respectfully requests that the present case be designated

complex in order to provide a significant period of time to prepare for and litigate all appropriate issues presented.

Respectfully submitted,

DEBORAH L. WILLIAMS,
FEDERAL PUBLIC DEFENDER

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William M. Apostelos

CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2016, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

s/F. Arthur Mullins
F. Arthur Mullins